

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-1702)

#6 / I.D.S

In the Application of:

Bachy et al.

Serial No.: 09/980,265

Filing Date: June 8, 2000

For: Immunostimulant Oligonucleotide

Examiner: To be assigned

Group Art Unit: To be assigned

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

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TECH CENTER 1600/2900

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Information Disclosure Statement;
- b) PTO Form 1449 and seven (7) references cited therein; and
- c) return receipt postcard.

2. With respect to fees:

- a) A fee is not required at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on March 20, 2002.

Date: March 20, 2002

Respectfully submitted,

Michael S. Greenfield  
Registration No. 37,142



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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED  
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TECH CENTER 1600/2900

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

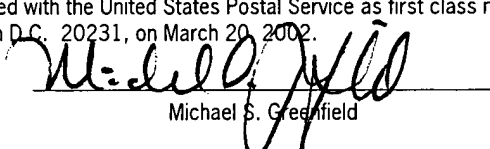
In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, Washington D.C. 20231, on March 20, 2002.

Date: March 20, 2002

  
Michael S. Greenfield

## FOREIGN PATENT DOCUMENTS

1. International Patent No. WO 95/26204, published October 5, 1995.
2. International Patent No. WO 98/37919, published September 3, 1998.

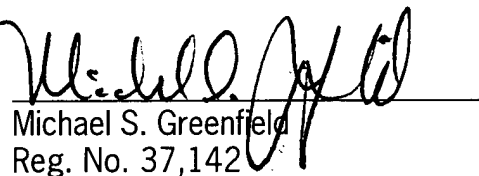
## OTHER DOCUMENTS

3. Liang, H., et al. "Activation of Human B Cells by Phosphorothioate Oligodeoxynucleotides." *J. Clin. Invest.* 98(5), pp. 1119-1129 (1996).
4. Boggs, R. T., et al. "Characterization and Modulation of Immune Stimulation by Modified Oligonucleotides." *Antisense & Nucleic Acid Drug Development.* Vol. 7, pp. 461-471 (October 1997).
5. Krieg, A. M., et al. "CPG Motifs in Bacterial DNA Trigger Direct B-Cell Activation." *Nature.* Vol. 374, pp. 546-549 (1995).
6. Parronchi, P., et al. "Phosphorothioate Oligodeoxynucleotides Promote the In Vitro Development of Human Allergen-Specific CD4+ T Cells Into Th1 Effectors." *J. Immunol.* 163(11), pp. 5946-5953 (1 December 1999).
7. Lang, R., et al. "Guanosine-rich Oligodeoxynucleotides Induce Proliferation of Macrophage Progenitors in Cultures of Murine Bone Marrow Cells." *European Journal of Immunology.* Vol. 29, No. 11, pp. 3496-3506 (November 1999).

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Date: March 20, 2002

By:

  
Michael S. Greenfield  
Reg. No. 37,142